

that will require some amendments on Select File, but I do have agreement with this group so that we might advance the bill today if you see fit and then offer on Select File to get these amendments to get the bill in tip-top shape. So I would move for the advancement of LB 228 from General File to E & R Initial please.

PRESIDENT: Senator Swigart.

SENATOR SWIGART: Mr. Chairman, colleagues. I rise to support Senator Stoney on the basis that this costs nothing. It's simply to make a situation more flexible for voting and to make it more workable to the satisfaction of those participants in the district. Thank you.

PRESIDENT: Senator Simon.

SENATOR SIMON: Mr. President, I have a couple of questions for Senator Stoney if he'll yield.

SENATOR STONEY: Yes, Senator Simon.

SENATOR SIMON: I'm reading the first line of the intent that the committee put out and it says "presently only landowners within a sanitary and improvement district who actually reside on their property are allowed to vote in SID election". Now I believe that that statement is incorrect. I live in SID and I believe that you do also and is my understanding that when SID is special and they're first formed and they have elections that the real estate company or the developer has one vote for each parcel of land that he or they, whoever they may be, own regardless of whether or not they actually live in that. Is that not correct?

SENATOR STONEY: I really could not answer that question, Senator Simon. Perhaps Senator Mills can. I know that he...

SENATOR SIMON: But that is in fact the case. The ex-realty company if there are 600 lots and 200 people reside on the land and 400 lots are vacant. That realty company has 400 votes. So I think, first of all, the statement of intent is incorrect. I'd like that clarified. Senator Kremer, I guess that I would ask you since it came from your committee. The first sentence is incorrect.

SENATOR KREMER: I think I'd have to agree with you Senator Simon.

SENATOR SIMON: I'd like the body to understand this. What the procedure is, what the present policy is, that the realty company or the development company whoever is setting this establishment up, they have one vote for each parcel of land that they have. So what actually happens is that if you've got 600 pieces of land and you've got 30 people who live in that development, the real estate company or the development company in fact can control and they put their own people on that board, which has caused me some problems because I reside in SID. That is a problem. So I'm a little confused by trying to understand what this amendment does in relation to what already is in fact happening. Now if and let me ask you this question, Senator Stoney. If the development who owned Devil's Nest, they already have one vote for each parcel of land that they have for any...the bank has I guess now. So for each undeveloped parcel of land, the bank has one vote right now for the SID.